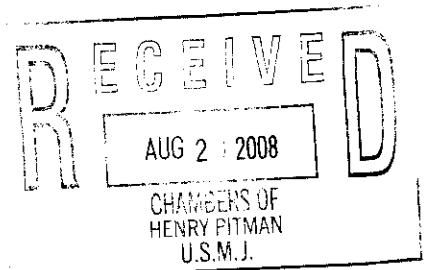
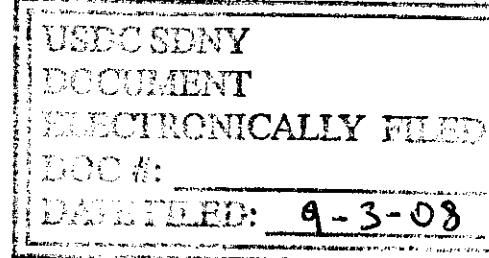


Dennis Farrell
 DIN# 03A3346
 Green Haven Correctional Facility
 P.O. Box 4000
 Stormville, New York 12582-0010



August 22, 2008

Honorable Henry Pitman
 United States Magistrate Judge
 United States District Court
 Southern District of New York
 United States Courthouse
 500 Pearl Street
 New York, New York 10007



Re: Farrell v. Ercole
 07-Civ-8073 (LAP) (HBP)

Your Honor;

As directed by your order, dated February 21, 2008, I write briefly to advise the court that as of August 15, 2008, the New York State Court of Appeals, Judge Eugene F. Pigott, Jr., denied my leave application, pursuant to CPL 460.20, which addressed all issue presented to the Appellate Division in my writ of error coram nobis.

That decision now concludes all available remedies in state court, and I now wish to amend my habeas petition to include all the meritorious issues which will be presented to the court during my habeas corpus proceeding. I plan on having the amended petition filed with the court within 45 days of the date of this letter. If for any reason I am unable to file the amended petition within 45 days, I will promptly advise the court of the reasons why.

Very truly yours,
Dennis Farrell
 Dennis Farrell

*PETITIONER MAY MOVE TO AMEND
 HIS PETITION NO LATER THAN 10-17-08*

SO ORDERED

Henry Pitman
 HENRY PITMAN
 UNITED STATES MAGISTRATE JUDGE

9-2-08